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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**

6
7 JOHN KELLY,
8 Plaintiff(s),
9 v.
10 AREA 15 LAS VEGAS LLC, et al.,
11 Defendant(s).

Case No. 2:24-cv-00696-NJK
Order
[Docket No. 7]

12 Pending before the Court is Defendants' amended certificate of interested parties. Docket
13 No. 7.

14 To assist federal courts in ensuring that diversity jurisdiction exists, the disclosure
15 statement filed by each party "must name—and identify the citizenship of—every individual or
16 entity whose citizenship is attributed to that party." Fed. R. Civ. P. 7.1(a)(2). For purposes of
17 diversity jurisdiction, "an LLC is a citizen of every state of which its owners/members are
18 citizens." *Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006).
19 "Moreover, if any member of [an LLC] is itself a partnership or association (or another LLC), the
20 Court needs to know the citizenship of each 'sub-member' as well." *Diamos v. Specialized Loan*
21 *Servicing, LLC*, 2014 WL 12603136, at *1 (N.D. Cal. Jan. 31, 2014).

22 The Area 15 Defendants are LLCs. The amended certificate of interested parties provides
23 an ownership hierarchy of additional LLCs, culminating in the assertion that:

24 Defendant AREA 15 GLOBAL, LLC, is a Delaware limited liability
25 company, whose members are Area 15 Investment LV 100, LLC, a
26 Delaware limited liability company that owns 31.06% of Area 15
27 Global, LLC, FB Area 15, LLC, a Delaware limited liability
28 company that owns 52.03% of Area 15 Global, LLC, Beneville
Holdings, LLC, a Delaware limited liability company, Treventures,
LLC, a Delaware limited liability company, and Area 15 Incentive,
LLC, a Delaware limited liability company with up to 11.0% profits-
only interest in Area 15 Global, LLC.

1 Docket No. 7 at 2. The amended certification does not provide the identities or citizenship of those
2 who are members or owners of these LLCs. As noted above, “if any member of [an LLC] is itself
3 a partnership or association (or another LLC), the Court needs to know the citizenship of each
4 ‘sub-member’ as well.” *Diamos, LLC*, 2014 WL 12603136, at *1. Hence, from the representation
5 currently being provided, the Court requires the identities and citizenship for each of the members
6 of: (1) Area 15 Investment LV 100, LLC; (2) FB Area 15, LLC; (3) Beneville Holdings, LLC; (4)
7 Treventures, LLC; and (5) Area 15 Incentive, LLC. If any of those members is itself an LLC (or
8 partnership), then the Court requires the identities and citizenship for each of the sub-members.

9 Lastly, the amended certificate of interested parties indicates that the member of MW
10 Vegas, LLC is “upon information and belief” Meow Wolf, Inc., a Delaware corporation
11 headquartered in New Mexico. *See* Docket No. 7 at 2. While diversity may be pled initially on
12 information and belief in limited circumstances in which the pertinent facts are held by the
13 opposing party, *see Carolina Cas. Ins. Co. v. Team Equip., Inc.*, 741 F.3d 1082, 1087 (9th Cir.
14 2014), such logic would not extend that he affirmative showing necessary as to a removing party’s
15 own citizenship. Hence, the representation as to MW Vegas’ citizenship on information and belief
16 appears to be improper.

17 Accordingly, Defendants must file a second amended certificate of interested parties by
18 April 29, 2024.

19 IT IS SO ORDERED.

20 Dated: April 22, 2024

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Nancy J. Koppe
United States Magistrate Judge

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